

OF THE BUTLER VILLAGE BOARD

Minutes not formally approved until Regular Board Meeting on October 2, 2012.

Village President Richard Ensslin called the Board Meeting to order at 7:30 PM at the Village Hall Board Room.

ROLL CALL

Present: President Richard Ensslin, Dave Hesselgrave, Susan Hesselgrave, Michael T. Thew, Sr., Walter Woloszyk, Robert Gundrum, and William Benjamin

Also present: Village Administrator Jesse Thyges, Police Chief Cosgrove, Lieutenants Wentlandt and Pergande, Officers Boyle, Rahn, and Napierala.

Excused:

PERSONS DESIRING TO BE HEARD

Village President Ensslin reviewed the protocol for Persons Desiring to Be Heard and noted that Trustee S. Hesselgrave would be recording the meeting proceedings.

Village President Ensslin reviewed the request from Trustee D. Hesselgrave requesting a cost analysis of contracting with the Waukesha County Sheriff's Department versus maintaining a Village Police Department and the need for Village Board action to authorize the Village Administrator to carry out such a cost study.

Gloria Sobush, 12809 W. Hampton Avenue, thanked Trustees D. Hesselgrave and S. Hesselgrave for their efforts in maintaining the flowers along Hampton Avenue.

Chaz Hastings, owner of the Bottoms Up tavern at 12504 W. Hampton Avenue, noted his investment into his business and voiced concerns with the possible outsourcing of the Police Department. Mr. Hastings noted his experience with slow response time to service calls to the Sheriff's Department at his other business location. Mr. Hastings added that he is not in favor of exploring the option of possibly contracting police service.

John Ehlinger, 4828 N. 126th Street, spoke of contacting the Sheriff's Department in the past during his tenure on the Board and the concerns about the level of service that would be provided. He also voiced a concern over the fact that this issue was never raised during recent campaigns for office and noted his opposition to the issue.

Lyn Muir, 5103A N. 126th Street, spoke in opposition due to safety concerns.

Annette Andler, 4900 N. 126th Street, noted that safety provided by the presence of the Police Department at all hours and added that it was important for the Village Board to listen to the resident comments on the matter.

Elizabeth Cusatis 12904 W. Colfax Place, opined that the possible abolishment of the Police Department is a bad idea and that she liked the safety afforded by having a police presence in the Village.

Mike Knick, 12714 W. Hampton Avenue suite A, spoke of the safety for his business customers who leave late in the evening due to the police presence and the very fast response times. He also presented a petition in opposition of the issue on behalf of the salon located in the same building.

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Tony Uravich, 4677 N. 126th Street, spoke favorably of the service provided by the police department and past help he had received from the department with personal issues in the past. He also voiced concerns with the level of service that the Sherriff's department could provide due to their lack of knowledge about the community.

Rob Schwartz, 127th Street and Fairmount Avenue, stated that he agreed with the idea of conducting a cost study in order to see what the differences could be for budgeting purposes.

Kathy Brandemuehl, Evergreen Express Convenience Store, spoke of the security and response time offered by the Police Department and also noted her opposition to the cost study. She voiced concerns with the potential conflict of interest involved with this matter.

Dan Zeck, 12717 W. Glendale Avenue, voiced concerns with singling out the Police Department for cost savings as well as his concerns with being locked into a contract with the county and losing budgetary control. Mr. Zeck also spoke of past labor negotiations for benefits to save the Village money and the staffing in order to cover each shift and still provide service.

Peggy Stewart, 5082 N. 126th Street, stated that a price tag cannot be placed on public safety and that she was impressed with safety provided by the police presence at all hours.

David Wolf, 5018 N. 127th Street, oposed losing the Police Department and the service associated with the department's relationship with the residents.

Roger Wollert, 4989 N. 127th Street, stated that the residents feel safe and commented on the high level of service provided by the Police Department. He also voiced concerns with being locked into an expensive contract with Waukesha County.

Phil Gross, 4990 N. 126th Street, stated that because of the police presence there have not been any major problems in the park and also spoke favorably of the Police Department's service that they provide the community.

Mary Turnbull, 4651 N. 127th Street, spoke of the fast response times of both the Police and Fire Departments as well as the importance of the K-9 program.

Maggie Uravich, 4677 N. 126th Street, stated that the residents' message should be clear and urged the Board not to research the issue and to maintain the Police Department.

Mike Buck, 5069 N. 127th Street, noted concerns with safety if the Police Department were lost as well as a lower level of service that would be received from the County.

Karen Qualman, 12725 Courtland Avenue, stated that she felt safe due to the police presence during nighttime hours.

Rob Ruege, 5029 N. 127th Street complimented the Police Department's work and cooperation with the Fire Department as well as the high level of service that is provided.

Dan Williams, of the Butler Volunteer Fire Department, noted the favorable work environment between the departments in contrast to his past experience with other agencies.

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Wayne Jameson, 5038 N. 127th Street, noted his past experiences with the Police Department and the good job that the department does when responding to calls for service. Mr. Jamison also complimented Trustee S. Hesselgrave for her efforts on the “Hot Rods on Hampton” car show event.

Gerald Paasch, 12915 W. Lancaster Avenue, discussed past Village Board research and the decision that public safety was not worth lowering expenses.

Jim Critz, of Evergreen Express Convenience Store, noted the Police Department’s presence around the business making it safe at all hours as well as their fast response times.

Annette Andler, 4900 N. 126th Street, asked why is the item being discussed since the Police Department knows the Village very well and provides great service. She also voiced concerns about possibly putting the Village at risk due to a lack of service.

Village President Ensslin stated that the item was placed on the meeting agenda due to the request of one Trustee.

Deborah Briggs, 13022 W. Colfax Avenue, agreed with the exemplary work of the Police Department but noted that researching the costs could be a useful budget tool in this poor economy.

Patty Zillges, 5000 N. 132nd Street, complimented the Police Department on their service to the community and how their presence provides a level of safety for the Village. She also voiced concerns with the costs and level of service associated with contracting with the County Sherriff’s Department.

John Sommers, 12921 W. Cameron Avenue, noted the fast response times in the Village as a reason not to get rid of the Police Department and added that taxes could be raised to provide their service.

Kris Sardina, 12907 W. Cameron Avenue, asked for clarification of the approval process involved with this matter. Village President Ensslin clarified the process that the Village Board follows when reviewing matters and that a majority vote is needed to approve the matter.

Aleen Katz-Dais, 4903 N. 126th Street, noted that the Village just remodeled the Village Hall to better accommodate the Police Department. She also presented a petition for evening trick-or-treat time within the Village.

Dave Handl, 4731 N. 124th Street, spoke favorably of the fast response times and the service provided by the Butler Police Department versus other municipalities where he owns other buildings.

Mike Etzel, 5052 N. 127th Street, stated that he values the protection provided by the Police Department but questioned the ramifications of conducting a cost study.

William Wiltsey, 5126 N. 127th Street, voiced concerns of putting a cost savings ahead of public safety.

Mike Hyland, 13011 W. Cameron Avenue, noted that the question being asked was simply about a cost study.

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Mary Turnbull, 4651 N. 127th Street, questioned the procedure of one Trustee asking the question about a possible cost study and voiced concerns with the process.

John Schmidt, 4606 N. 125th Street, opined that the Village cannot lose the Police Department.

Wayne Jameson, 5038 N. 127th Street, stated that the Board has yet to discuss this matter as this is the first time it has been placed on an agenda and opined that the Board understands the importance of citizen comments.

Village President Ensslin noted that several letters in opposition were received from the following parties; Roxanne Emerich, the Schroeder Family, Teri Stegemeyer, David Tomter (Butler Inn), Joe and Jean Zoulek, Patty Zieske, Virginia Hill, Matthew Meyers, and Larry and Arlene Detrie.

Village President Ensslin also noted that several telephone calls in opposition were received from the following parties; Jo Ann Bublitz, John Liebl (Butler Tool), and Mary Jo Spriedman.

The Village Board took agenda item IX. (A) out of order so as to accommodate the large number of residents who appeared on the matter.

NEW BUSINESS

- (A) Discussion and Possible Action to Direct the Village Administrator to conduct a cost study concerning the possible abolishment of the Village of Butler Police Department and Contracting with Waukesha County for the Waukesha County Sherriff to provide law enforcement services for the Village under Wis. Stat. Sec. 61.65(1)(a)(4).

Village President Ensslin reiterated that the time for public comment had closed and that the discussion was now among the Village Board members.

Trustee D. Hesselgrave noted his respect for the Police Department as well as his work with the Public Works Committee to address the Department's needs during the Village Hall remodeling process. Trustee D. Hesselgrave went on to say that he has not asked that the Department be abolished and further clarified his request for a cost study for budgeting purposes by reading his memo to the Village Administrator aloud. Trustee D. Hesselgrave then asked if the Village Administrator could clarify the agenda language.

Village Administrator Thyes discussed how an inquiry into the operations of any Village Department may be carried out by the Administrator upon authorization by the full Village Board according to the Village Code of Ordinances. Mr. Thyes noted that State Statutes need to be considered because a cost study could potentially lead to a service contract with Waukesha County. The language on the agenda was derived through communication with the Village Attorney as well as the language set forth in Wisconsin State Statutes.

Trustee Thew firmly stated that Trustee D. Hesselgrave had gone through the proper channels to have this matter placed on the agenda and Ms. Turnbull's comments were inaccurate. Trustee Thew also noted that any Village Board action this evening would strictly be about a cost study only and that he understood the public's concerns.

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Trustee S. Hesselgrave applauded the residents' feedback and noted that the Board's decisions should be based on facts and also that hard questions should be asked.

Trustee Benjamin stated that possible cost savings should be explored but that safety should be the priority. Trustee Benjamin also noted that a sound decision is based on facts.

Trustee Woloszyk noted his years of service and past reviews of this type of proposal. Trustee Woloszyk went on to voice concerns with being locked into a service contract with the County and that he does not see any advantage due to the potential loss of service.

Trustee Gundrum noted the importance of receiving the public's input as an elected official and that he was elected to act as a representative of the citizens. Trustee Gundrum also stated his appreciation for the feedback provided by the residents.

Motion by Woloszyk not to direct the Village Administrator to conduct a cost study concerning the possible abolishment of the Village of Butler Police Department and Contracting with Waukesha County for the Waukesha County Sheriff to provide law enforcement services for the Village

Prior to anyone seconding the motion, Village President Ensslin noted that Trustee Woloszyk's negative motion was not valid per Robert's Rules of Order.

Motion by S. Hesselgrave; second by D. Hesselgrave to Direct the Village Administrator to conduct a cost study concerning the possible abolishment of the Village of Butler Police Department and Contracting with Waukesha County for the Waukesha County Sheriff to provide law enforcement services for the Village under Wis. Stat. Sec. 61.65(1)(a)(4). Motion failed 2-5.

The Board took a 5-minute break to allow the board room to clear prior to commencing with the remainder of the agenda.

CONSIDERATION OF MINUTES:

Motion by Benjamin; second by Woloszyk to approve the minutes of the September 4, 2012 Regular Board Meeting. Motion carried 7-0.

COMMUNICATIONS

- St. Agnes "Thank you" Letter
- Butler Volunteer Fire Department Sign Request Letter

COMMITTEE REPORT

(A) *Building Board – Trustee Woloszyk*

Present: Woloszyk, Benjamin, Klibowitz and Thew

Also Present: Administrator Thyges and Village President Ensslin

Excused:

1. Building Permit(s):

- a. Carol Zuba appeared and Administrator Thyges summarized signage application and placement of Library Signs. Motion by Thew; second by Benjamin to approve Library Signs at 12808 W. Hampton Avenue. Motion carried 4-0.

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Motion by Thew; second by Benjamin to adjourn meeting. Motion carried 4-0. The meeting adjourned at 7:05 PM.

(B) Finance Committee – Trustee Thew

Present: Thew, Gundrum and D. Hesselgrave

Also present: Administrator Thyges

Excused:

1. Motion by D. Hesselgrave; second by Gundrum for Finance Committee to review and send current invoices to Village Board for approval. Motion carried 3-0.
2. Motion by D. Hesselgrave; second by Gundrum for Finance Committee to review and send August Statement of Revenues and Expenditures to Village Board for approval. Motion carried 3-0.

Motion by D. Hesselgrave; second by Gundrum to adjourn Finance Committee meeting. Motion carried 3-0. The meeting adjourned at 7:17 PM.

(D) Library Board – Trustee R. Gundrum

Trustee R. Gundrum reviewed the Capital Project discussions, attendance numbers, wall signage and railroad crossing sign decoration.

REPORT OF THE ADMINISTRATOR

Administrator Thyges reported on the pending closure of the DNR's environmental case file on the CDA-owned parcel at 124th & Ruby pending removal of monitoring wells; completed application for the 2013 Recycling Grant; met with Ehlers & Associates (the Village's financial advisors) to review the current debt service obligations and the tax incremental financing district; began work with RA Smith for a River Restoration grant – the grant is specifically targeted for erosion control projects; if grant application is successful, RA Smith would like to target the shoreline area along the river near the lower ball diamonds for improvements as recommended by MMSD and the DNR; and RA Smith continues to work on the vacation of the Ruby Avenue right-of-way, there appears to be a hold up with the City of Brookfield as the ownership of the right-of-way area once it has been vacated.

OLD BUSINESS

None

NEW BUSINESS

- A) The Village Board took agenda item IX. (A) out of order so as to accommodate the number of residents who appeared on the matter.
- B) Motion by D. Hesselgrave; second by Thew to approve the Bartender's License for the following person: Laura A. Almonte – Cardinal Club. Motion carried 7-0.
- C) Motion by Thew; second by D. Hesselgrave to approve the bills as presented for \$118,156.20. Motion carried 7-0.

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- D) Motion by Thew; second by Gundrum to approve the August Statement of Revenues and Expenditures. Motion carried 7-0.
- E) Motion by Thew; second by Gundrum to approve Resolution 12-11, a Resolution Honoring and Expressing Appreciation to Susan Hesselgrave, Citizen of the Year, 2012. Motion carried 7-0.
- F) Motion by Benjamin; second by Thew to approve three year Service Agreement for Animal Control and Humane Officer Services with Humane Animal Welfare Society. Motion carried 7-0.
- G) Motion by Benjamin; second by Gundrum to approve the base bid with options #1 and #2 for the amount of \$9,650 for Softball Field (Diamond #1) Rehabilitation received from Natural Athletic Turf, LLC. Motion carried 6-0. Thew abstained.
- H) Motion by S. Hesselgrave; second by Woloszyk to approve a request from St. Agnes Church to Place a Sign on the Village's information median sign at 127th and Hampton Avenue. Motion carried 7-0.
- I) Village President Ensslin mentioned a petition he received regarding night time Trick or Treat times. Administrator Thyges reviewed nearby communities and their confirmed 2012 Trick or Treat times.

Motion by Thew; second by D. Hesselgrave to approve Trick or Treat time for Sunday, October 28, 2012 from 4:00 PM – 7:00 PM. Motion carried 7-0.

ADJOURNMENT

Motion by Woloszyk to adjourn; second by Thew. Motion carried 7-0. The meeting was adjourned at 9:38 PM.

Submitted by:
Jesse Thyges
Administrator/Clerk

Approval Date: _____

Corrections/Amendment:
